

REMARKS

Claims 1-40 are pending in this application. Claim 2 has been canceled without prejudice or disclaimer, claims 1 and 7-9 have been amended and claim 41 has been added by the present Amendment. Amended claims 1 and 7-9 and new claim 41 do not add new matter.

REJECTIONS UNDER 35 U.S.C. § 103

Reconsideration is respectfully requested of the rejection of claims 1-9, 12, 23 and 37-40 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,897,909 ("Ochiai") in view of U.S. Patent Application Pub. No. 2002/0149729 ("Nishimura").

Claim 1

Applicant respectfully submits that the combination of the cited references does not disclose or suggest the limitations of claim 1, especially, wherein each of the curved portions of the plurality of second lines comprises a pair of rectilinear portions connected to each other and making an angle of about 90 degrees.

For example, as shown in Fig. 1, the curved portions of the data lines 171 make an angle of about 90 degrees. See, e.g., Applicant's disclosure, Fig. 1 and page 12, line 22 – page 13, line 9 (¶ 0082).

The Examiner maintains that Nishimura in Fig. 8 discloses each of the curved portions of the data lines comprising a pair of rectilinear portions connected to each other and making an angle of about 90 degrees.

However, Applicant respectfully disagrees with the Examiner. M.P.E.P. Section 2125 states, in pertinent part:

When the reference does not disclose that the drawings are to scale and is silent as to dimensions, arguments based on measurement of the drawing features are of little value. (citing Hockerson-Halberstadt, Inc. v. Avia Group Int'l, 222 F.3d 951, 956, 55 USPQ2d 1487, 1491 (Fed. Cir. 2000), which states that "it is well established that patent drawings do not define the precise proportions of the elements and may not be relied on to show particular sizes if the specification is completely silent on the issue.")

M.P.E.P. § 2125 (Rev. 8/06)

Applicant respectfully submits that the Examiner is not permitted to rely on the Figures in Nishimura to conclude that Nishimura discloses the curved portions making an angle of about 90 degrees. Nishimura is silent as to the dimensions of the drawings and does not state that the drawings are to scale. Accordingly, Fig. 8 in Nishimura may not be relied on to show that curved portions of the data lines DL make an angle of about 90 degrees.

Therefore, Applicant maintains that claim 1 is patentable over Ochiai in view of Nishimura.

Further, for at least the reason that claims 3-6, 37 and 39 depend from claim 1, claims 3-6, 37 and 39 are also submitted to be patentably distinct over the cited references, claim 2 having been canceled.

As such, Applicant respectfully requests that the Examiner's rejection of claims 1-6, 37 and 39 be withdrawn.

Claim 7

Applicant respectfully submits that the combination of the cited references does not disclose or suggest the limitations of claim 7, especially, a storage electrode line including a storage electrode having an increased width with respect to a width of the

storage electrode line.

For example, as shown in Fig. 1, the storage electrode line 131 includes a storage electrode 133 having an increased width with respect to the storage electrode line 131. See, e.g., Applicant's disclosure, Fig. 1 and page 13, lines 10-17 (¶ 0083).

The Examiner maintains that Ochiai in Fig. 3 discloses a storage electrode line including a storage electrode having an increased width with respect to a width of the storage electrode line.

However, Applicant respectfully disagrees with the Examiner. In contrast to the Examiner's conclusion, Ochiai discloses a storage capacitance line CSTL that is used as its own electrode. See Ochiai, col. 11, lines 58-64 and col. 12, lines 15-25. Therefore, Ochiai does not disclose a storage electrode in addition to the storage electrode line. Instead, the storage capacitance line CSTL in Ochiai functions as an electrode. Moreover, Ochiai is completely silent regarding a width of a storage electrode in relation to a storage electrode line.

Additionally, it would not be obvious to modify Ochiai to include the claimed storage electrode since Ochiai appears to teach away from an alternative configuration to that disclosed. Indeed, Ochiai teaches that the storage capacitance line CSTL functioning as an electrode forms a large storage capacitance without leakage. See Ochiai, col. 12, lines 30-34.

Therefore, Applicant maintains that claim 7 is patentable over Ochiai in view of Nishimura.

Further, for at least the reason that claims 8-9, 12, 23, 38 and 40 depend from claim 7, claims 8-9, 12, 23, 38 and 40 are also submitted to be patentably distinct over

the cited references.

As such, Applicant respectfully requests that the Examiner's rejection of claims 7-9, 12, 23, 38 and 40 be withdrawn.

Accordingly, in view of the foregoing, Applicant respectfully requests that the Examiner withdraw the rejection of claims 1-9, 12, 23 and 37-40 under 35 U.S.C. § 103(a).

Reconsideration is respectfully requested of the rejection of: (1) claim 10 under 35 U.S.C. § 103(a) as being unpatentable over Ochiai in view of Nishimura and further in view of U.S. Patent Application Pub. No. 2004/0004280 ("Kim"); (2) claim 11 under 35 U.S.C. § 103(a) as being unpatentable over Ochiai in view of Nishimura and further in view of U.S. Patent No. 6,337,723 ("Bae"); (3) claims 13-16 under 35 U.S.C. § 103(a) as being unpatentable over Ochiai in view of Nishimura and further in view of U.S. Patent No. 6,879,359 ("Kikkawa"); (4) claims 24 and 25 as being unpatentable over Ochiai in view of Nishimura and further in view of U.S. Patent Application No. 2001/0006408 ("Matsuyama"); (5) claims 17 and 18 as being unpatentable over Ochiai in view of Nishimura and further in view of U.S. Patent Application No. 2001/0026341 ("Lee"); and (6) claims 19-22 as being unpatentable over Ochiai in view of Nishimura and further in view of Bae and Matsuyama.

As stated above, Applicant maintains that claim 7 is patentable over Ochiai in view of Nishimura for at least the reason that Ochiai fails to disclose a storage electrode line including a storage electrode having an increased width with respect to a width of the storage electrode line, and that it would not be obvious to modify Ochiai to include same.

Further, Applicant maintains that none of the remaining cited references cure the deficiency in Ochiai, and that claim 7 is patentable over Ochiai in view of Nishimura and further in view of Kim, Bae, Kikkawa, Matsuyama, and/or Lee.

For at least the reason that claims 10, 11, 13-22, 24 and 25 depend from claim 7, claims 10, 11, 13-22, 24 and 25 are also submitted to be patentable over the cited references, when taken alone or in combination.

As such, Applicant requests that the Examiner withdraw the rejections of claims 10, 11, 13-22, 24 and 25 under 35 U.S.C. §103(a).

DEPENDENT CLAIMS

Applicant has not independently addressed the rejections of all the dependent claims because Applicant submits that, in view of the amendments to the claims presented herein and, for at least similar reasons as why the independent claims from which the dependent claims depend are believed allowable as discussed, supra, the dependent claims are also allowable. Applicant however, reserves the right to address any individual rejections of the dependent claims should such be necessary or appropriate.

NEW CLAIM

Applicant respectfully submits new claim 41 for consideration, and that new claim 41 is patentable over the cited references for at least the reasons that (1) new claim 41 depends from claim 7; and (2) the cited references do not disclose edges of the expansion that are substantially parallel to edges of the storage electrode, as recited in claim 41.

An early and favorable reconsideration is earnestly solicited. If the Examiner has any further questions or comments, the Examiner may telephone Applicant's Attorney to reach a prompt disposition of this application.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Michael F. Morano", is written over a horizontal line.

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